

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

APPROXIMATELY \$32,600.00 IN U.S.
CURRENCY,

Defendant.

No. 2:24-mc-00411-DC-AC

CONSENT JUDGMENT OF FORFEITURE

On January 14, 2025, Plaintiff United States and Claimant Deaareon Fleming filed a stipulation for the entry of a consent judgment of forfeiture in this action. (Doc. No. 6.)

Pursuant to that stipulation, the court finds the following:

1. On May 7, 2024, agents with the Drug Enforcement Administration (“DEA”) contacted Deaareon Fleming (“Fleming” or “Claimant”) at the Sacramento International Airport in Sacramento, California. Approximately \$32,600.00 in U.S. Currency (hereafter “Defendant currency”) was seized from Fleming during this encounter.

2. The DEA commenced administrative forfeiture proceedings, sending direct written notice to all known potential claimants and publishing notice to all others. On or about July 19, 2024, the DEA received a claim from Fleming asserting an ownership interest in the Defendant currency.

3. The United States represents that it could show at a forfeiture trial that on May 7,

1 2024, Fleming was scheduled to travel on American Airlines Flight 2087 from Dallas, Texas to
2 Sacramento, California, with his origin of travel that day being Atlanta, Georgia. Law
3 enforcement received information regarding a suspicious ticket purchase by Fleming, including
4 the purchase of his ticket one day prior to his travel with his return trip approximately 24 hours
5 later.

6 4. The United States represents it could further show at a forfeiture trial that on
7 May 7, 2024, law enforcement responded to the Sacramento International Airport and
8 positioned themselves at the outdoor baggage drop off area associated with Fleming's incoming
9 flight. They located a blue hard-shell suitcase that had indicators of narcotics trafficking, to
10 include the suitcase was new, still had plastic wrap on the handles, and was very light in weight
11 considering the size of the suitcase. A drug detection dog alerted to the odor of narcotics on the
12 suitcase. Law enforcement detected a strong odor of marijuana coming from within the suitcase.
13 The suitcase had a tag with Fleming's name on it. Law enforcement then discovered that
14 Fleming was not on the flight but was scheduled to arrive at a later time that day, even though
15 his suitcase was on the current flight. Law enforcement secured the suitcase.

16 5. The United States represents that it could further show at a forfeiture trial that
17 law enforcement returned to the airport later that afternoon and waited for Fleming's updated
18 flight, American Airlines flight 2078 to arrive. They had control of Fleming's blue suitcase in
19 Terminal A. When Fleming noticed law enforcement with his suitcase, he pulled out his cell
20 phone, brought it up to his ear, and then diverted his walking path away from law enforcement.
21 They approached Fleming and he confirmed his identity and that the suitcase belonged to him.
22 Law enforcement asked Fleming if he had any narcotics in the suitcase and he responded, "there
23 shouldn't be."

24 6. The United States represents that it could further show at a forfeiture trial that
25 another law enforcement officer and another drug detection dog approached Fleming. The drug
26 detection dog immediately went to the blue satchel bag that Fleming was carrying and alerted to
27 the odor of narcotics on it. Law enforcement asked for consent to search the suitcase to which
28 Fleming consented. While law enforcement was searching the suitcase, they asked Fleming how

1 much currency he was traveling with. Fleming initially stated, “not a lot.” When law
2 enforcement asked Fleming for clarification, he said, “maybe 10-15,” meaning \$10,000–
3 \$15,000. When asked if they could see the currency Fleming zipped open the blue satchel bag
4 he was carrying and showed them several large stacks of cash in various denominations. Based
5 on their training and experience, law enforcement believed there was more than \$10,000–
6 \$15,000. Law enforcement asked Fleming if he would accompany them to a separate room to
7 complete the search and Fleming agreed.

8 7. The United States represents that it could further show at a forfeiture trial that
9 once in the separate room, the suitcase and satchel were placed on the table where they
10 continued their search. The drug detection dog was deployed again, and he immediately put his
11 paw on the table and alerted on the blue satchel bag.

12 8. The United States represents that it could further show at a forfeiture trial that
13 law enforcement found several packs of pre-packaged, personal use marijuana packages inside
14 the large blue suitcase, along with three orange-colored pills, later determined to be Adderall.
15 Fleming admitted they were his, but he did not know the marijuana was inside the suitcase
16 because he did not pack it.

17 9. The United States represents that it could further show at a forfeiture trial that
18 law enforcement continued with a search of the blue satchel bag and found five stacks of cash.
19 Law enforcement asked Fleming what he was going to do with the cash and he stated that he
20 was coming from Atlanta to buy “Double XL Bulldogs.” Fleming said he was going to drive
21 from Sacramento either to Antioch or Pittsburg to purchase the dogs and that he did not know
22 where he was going to stay yet. Fleming initially said that he was in California for a few days,
23 but when asked if he had a return ticket, Fleming stated that he was flying out tomorrow (the
24 following day). Fleming claimed he bred dogs for a living. A later bank count of the cash seized
25 from Fleming’s blue satchel bag totaled \$32,600.00— the Defendant currency.

26 10. The United States could further show at a forfeiture trial that the Defendant
27 currency is forfeitable to the United States pursuant to 21 U.S.C. § 881(a)(6).

28 11. Without admitting the truth of the factual assertions contained above, Claimant

1 specifically denying the same, and for the purpose of reaching an amicable resolution and
2 compromise of this matter, Claimant agrees that an adequate factual basis exists to support
3 forfeiture of the Defendant currency. Fleming acknowledged that he is the sole owner of the
4 Defendant currency, and that no other person or entity has any legitimate claim of interest therein.
5 Should any person or entity institute any kind of claim or action against the government with
6 regard to its forfeiture of the Defendant currency, Claimant shall hold harmless and indemnify the
7 United States, as set forth below.

8 12. This Court has jurisdiction in this matter pursuant to 28 U.S.C. §§ 1345 and 1355,
9 as this is the judicial district in which acts or omissions giving rise to the forfeiture occurred.

10 13. This Court has venue pursuant to 28 U.S.C. § 1395, as this is the judicial district in
11 which the Defendant currency was seized.

12 14. The parties herein desire to settle this matter pursuant to the terms of a duly
13 executed Stipulation for Consent Judgment of Forfeiture.

14 Based on the above findings, and the files and records filed in this action, the court orders
15 as follows:

16 1. The court adopts the Stipulation for Consent Judgment of Forfeiture entered into
17 by and between the parties (Doc. No. 6).

18 2. Upon entry of this Consent Judgment of Forfeiture, \$18,000.00 of the
19 Approximately \$32,600.00 in U.S. Currency, together with any interest that may have accrued on
20 the total amount seized, shall be forfeited to the United States pursuant to 21 U.S.C. § 881(a)(6),
21 to be disposed of according to law.

22 3. Upon entry of this Consent Judgment of Forfeiture, but no later than 60 days
23 thereafter, \$14,600.00 of the Approximately \$32,600.00 in U.S. Currency shall be returned to
24 Claimant Deaareon Fleming through his attorney Eric A. Pack.

25 4. The United States of America and its servants, agents, and employees and all other
26 public entities, their servants, agents, and employees, are released from any and all liability
27 arising out of or in any way connected with the seizure or forfeiture of the Defendant currency.
28 This is a full and final release applying to all unknown and unanticipated injuries, and/or damages

1 arising out of said seizure or forfeiture, as well as to those now known or disclosed. Claimant
2 waived the provisions of California Civil Code § 1542.

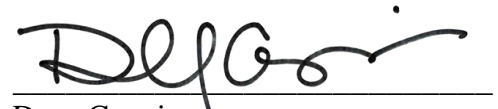
3 5. No portion of the stipulated settlement, including statements or admissions made
4 therein, shall be admissible in any criminal action pursuant to Rules 408 and 410(a)(4) of the
5 Federal Rules of Evidence.

6 6. All parties will bear their own costs and attorney's fees.

7 7. Pursuant to the Stipulation for Consent Judgment of Forfeiture filed herein, the
8 court enters a Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was
9 reasonable cause for the seizure of the above-described Defendant currency.

10
11 IT IS SO ORDERED.

12 Dated: **January 16, 2025**



Dena Coggins
United States District Judge